

**IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF WEST VIRGINIA
AT CHARLESTON**

**DENNIS HAGY, TAMERA HAGY, DUSTIN
HAGY, and CLARK HAGY,**

Plaintiff,

v.

**Civil Action No.: 2:10-cv-1372
Honorable Joseph R. Goodwin**

**EQUITABLE PRODUCTION COMPANY, A
PENNSYLVANIA CORPORATION, WARREN
DRILLING COMPANY, INC., BJ SERVICES
COMPANY, USA, and HALLIBURTON ENERGY
SERVICES, INC.,**

Defendants.

**MOTION TO WITHDRAW AS COUNSEL AND TEMPORARILY STAY
PROCEEDINGS BY KESNER, KESNER & BRAMBLE, PLLC AND
THE LAW OFFICES OF HARRIS & HOLMES, PLLC**

This day comes Eric J. Holmes, Kevin C. Harris and the Law Offices of Harris & Holmes, PLLC, and Brent K. Kesner, Daniel W. Greear and Kesner, Kesner & Bramble, PLLC, and, pursuant to Rule 83.4 of the Local Rules of Procedure for the United States District Court for the Southern District of West Virginia, and respectfully requests that this Court enter an Order allowing that they be permitted to withdraw as counsel for the Plaintiffs.

In support of said Motion, the undersigned counsel states that Plaintiffs and current counsel have reached an significant impasse as to the direction of this case and the strategy as to how to proceed forward which impairs present counsel's ability to prosecute this action. Current counsel also asks the Court to grant said Plaintiffs a ninety (90) day

stay of these proceedings in order for the Plaintiffs to obtain new counsel. Current counsel asserts that a temporary stay of these proceedings will not prejudice the parties in that the trial of this action is not set until May 15, 2012. Further, given the current impasse between present counsel and the Plaintiffs, present counsel feels a stay of proceedings is necessary and does not feel it would be in the best interests of the Plaintiffs to proceed with additional discovery or depositions until new counsel is retained on their behalf.

WHEREFORE, Eric J. Holmes, Kevin C. Harris and the Law Offices of Harris & Holmes, PLLC, and Brent K. Kesner, Daniel W. Greear and Kesner, Kesner & Bramble, PLLC, respectfully request that this Court enter an Order allowing them to withdraw as counsel for the Plaintiffs.

DENNIS HAGY, TAMERA HAGY, DUSTIN HAGY, and CLARK HAGY
By counsel,

/s/ Eric J. Holmes

Kevin C. Harris, Esq. (WVSB #8814)
Eric J. Holmes, Esq. (WVSB #8557)
Law Offices of Harris & Holmes, PLLC
115 North Church Street
Ripley, WV 25271
Phone: (304) 372-7004
Fax: (304) 372-7042

Brent K. Kesner (WVSB #2022)
Daniel W. Greear (WVSB #6036)
Kesner, Kesner & Bramble, PLLC
112 Capitol Street
P. O. Box 2587
Charleston, WV 25329
Phone: (304) 345-5200
Fax: (304) 345-5265

**IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF WEST VIRGINIA
AT CHARLESTON**

**DENNIS HAGY, TAMERA HAGY, DUSTIN
HAGY, and CLARK HAGY,**

Plaintiff,

v.

**Civil Action No.: 2:10-cv-1372
Honorable Joseph R. Goodwin**

**EQUITABLE PRODUCTION COMPANY, A
PENNSYLVANIA CORPORATION, WARREN
DRILLING COMPANY, INC., BJ SERVICES
COMPANY, USA, and HALLIBURTON ENERGY
SERVICES, INC.,**

Defendants.

CERTIFICATE OF SERVICE

I, Eric J. Holmes, counsel for Plaintiffs, do hereby certify that on the **6th day of July, 2011**, I electronically filed the foregoing **Motion to Withdraw as Counsel and Temporarily Stay Proceedings by Kesner, Kesner & Bramble, PLLC and the Law Offices of Harris & Holmes, PLLC** with the Clerk of the Court using the CM/ECF system, which will send notification of such filing to the following:

James A. Varner, Sr., Esq.
Debra Tedeschi Varner, Esq.
Jeffrey D. Van Volkenburg, Esq.
Empire Building - 400 Main Street
P.O. Drawer 2040
Clarksburg, WV 26302-2040
Counsel for Halliburton Energy Services, Inc.

Timothy M. Miller, Esq.
Robert E. Lannan, Esq.
Robinson & McElwee, PLLC
400 Fifth Third Center
P.O. Box 1791
Charleston, WV 25326
Counsel for EQT Production Co.

James S. Huggins, Esq.
Colleen E. Cook, Esq.
Theisen Brock
424 Second Street
Marietta, OH 45750
Counsel for Warren Drilling Company, Inc.

Timothy D. Houston, Esq.
Spilman, Thomas & Battle, PLLC
P.O. Box 273
Charleston, WV 25321-0273
Counsel for BJ Services Co., USA

/s/ Eric J. Holmes

Kevin C. Harris, Esq. (WVSB #8814)
Eric J. Holmes, Esq. (WVSB #8557)
Law Offices of Harris & Holmes, PLLC
115 North Church Street
Ripley, WV 25271
Phone: (304) 372-7004
Fax: (304) 372-7042

Brent K. Kesner (WVSB#2022)
Daniel W. Greear (WVSB #6036)
Kesner, Kesner & Bramble, PLLC
112 Capitol Street
P. O. Box 2587
Charleston, WV 25329
Phone: (304) 345-5200
Fax: (304) 345-5265